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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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08/420,241 04/11/95 BUNGARDT

E1M1/1001

ALBERT C SMITH
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This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

EXAMINER
G 1779

ART UNIT PAPER NUMBER
DANG, K 13

DATE MAILED:
2112

10/01/96

☒ This application has been examined ☒ Responsive to communication filed on 8/12/96 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-12 are pending in the application.
Of the above, claims 7 and 8 are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☒ Claims 9 and 10 are allowed.
4. ☒ Claims 1, 11, and 12 are rejected.
5. ☒ Claims 2 and 6 are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Art Unit: 2112

DETAILED ACTION

1. Applicant's election without traverse of the species shown in Figs. 1a and 1b in Paper No. 12 is acknowledged.

Drawings

2. The drawings are objected to because they do not include Fig. 1 mentioned in the description. Correction is required.

Claim Rejections - 35 USC § 112

3. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 12, the language such as "a concha stabilizer pad coupled to the receiver attachment" is unclear and cannot be ascertained in view of the specification and drawings. Note that the "stabilizer pad" 21 is coupled to the "stabilizer support" 17.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

Art Unit: 2112

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 11, and 12 are rejected under 35 U.S.C.102(b) as being clearly anticipated by either Kobayashi (5,142,587), Neal (3,041,856), Schier (1,953,437), Koch (1,893,143), Jones (1,668,910), or Langenbeck et al. (1,614,987).

Allowable Subject Matter

5. Claims 2-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 9 and 10 are allowable over the art of record.

7. Any inquiry concerning this communication should be directed to K. Dang at telephone number (703) 308-0211.

Khanh Dang

**KHANH DANG
PRIMARY EXAMINER
GROUP 2100**